



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/923,573	08/07/2001	Dwip N. Banerjee	AUS920010318US1	2690

32329 7590 10/11/2005  
IBM CORPORATION  
INTELLECTUAL PROPERTY LAW  
11400 BURNET ROAD  
AUSTIN, TX 78758

EXAMINER

ABEL JALIL, NEVEEN

ART UNIT PAPER NUMBER

2165

DATE MAILED: 10/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

*He*

**Supplemental  
Notice of Allowability**

Application No.

09/923,573

Examiner

Neveen Abel-Jalil

Applicant(s)

BANERJEE ET AL.

Art Unit

2165

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 4/15/05 & 6/6/05.
2. ☒ The allowed claim(s) is/are 1, 2, 4-10, 12-32 and 34-39.
3. ☒ The drawings filed on 8/7/01 & 2/12/02 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

*C. R. Jones*  
**CHARLES RONES  
SUPERVISORY PATENT EXAMINER**

## DETAILED ACTION

### Supplemental Action

#### Remarks

1. The After Final amendments filed on 15-April-2005 and 6-June-2005 has been received and entered. Claims 3, 11, 21, and 33 have been cancelled. Therefore, claims 1-2, 4-10, 12-20, 22-32, and 34-39 are now pending

#### *Reasons for Allowance*

2. Claims 1-2, 4-10, 12-20, 22-32, and 34-39 are allowed over the prior art made of record. Rubenczyk et al. (U.S. Pub. No. 2003/0217052 A1) teaches cumulative rank and measure in confidence of a decision.

3. The following is a statement of reasons for allowance:

The prior art of record (Katz et al. -U.S. Pub. 2002/0174000- and Chandra et al. -U.S. Patent No. 2002/0138582- and Bennett -U.S. Pub. No. 2003/0208429 A1- and Tolopka -U.S. Patent No. 6,064,976- and Lang et al. -U.S. Patent No. 6,694,007 B2-and-Rubenczyk et al. -U.S. Pub. No. 2003/0217052 A1) do not disclose, teach, or suggest the claimed limitations of (in combination with all other features in the claim), receiving responses to the query from the plurality of decision making entities, wherein each response includes an indicator of support for the proposed action; determining the cumulative support from the query responses received; automatically communicating a second query to the plurality of decision making entities if an

additional support necessary to reach minimum setpoint value is less than a second set point, as claimed in Independent claim 1.

Claims 2, 4, 5, 7, 9-10, 12, 14, 16-17, and 36-39 are allowable over the prior art made of record, because they are dependent from the allowable independent claim 1.

The prior art of record (Katz et al. -U.S. Pub. 2002/0174000- and Chandra et al. -U.S. Patent No. 2002/0138582- and Bennett -U.S. Pub. No. 2003/0208429 A1- and Tolopka -U.S. Patent No. 6,064,976- and Lang et al. -U.S. Patent No. 6,694,007 B2-and-Rubenczyk et al. -U.S. Pub. No. 2003/0217052 A1) do not disclose, teach, or suggest the claimed limitations of (in combination with all other features in the claim), determining the cumulative support from the query responses received; automatically implementing the proposed action if the cumulative support is greater than the setpoint; imposing arbitration among the plurality of decision-making entities if the query responses provide cumulative support less than the minimum setpoint value, as claimed in Independent claim 6.

Claims 8, 13, and 15 are allowable over the prior art made of record, because they are dependent from the allowable independent claim 6.

The prior art of record (Katz et al. -U.S. Pub. 2002/0174000- and Chandra et al. -U.S. Patent No. 2002/0138582- and Bennett -U.S. Pub. No. 2003/0208429 A1- and Tolopka -U.S. Patent No. 6,064,976- and Lang et al. -U.S. Patent No. 6,694,007 B2-and-Rubenczyk et al. -U.S.

Art Unit: 2165

Pub. No. 2003/0217052 A1) do not disclose, teach, or suggest the claimed limitations of (in combination with all other features in the claim), determining the cumulative support from the query responses received; automatically implementing the proposed action if the cumulative support is greater than the setpoint; imposing arbitration among the plurality of decision-making entities if the query responses provide cumulative support less than the minimum setpoint value, as claimed in Independent claim 18.

The prior art of record (Katz et al. -U.S. Pub. 2002/0174000- and Chandra et al. -U.S. Patent No. 2002/0138582- and Bennett -U.S. Pub. No. 2003/0208429 A1- and Tolopka -U.S. Patent No. 6,064,976- and Lang et al. -U.S. Patent No. 6,694,007 B2-and-Rubenczyk et al. -U.S. Pub. No. 2003/0217052 A1) do not disclose, teach, or suggest the claimed limitations of (in combination with all other features in the claim), receiving responses to the query from the plurality of decision making entities, wherein each response includes an indicator of support for the proposed action; determining the cumulative support from the query responses received; automatically communicating g a second query to the plurality of decision making entities if an additional support necessary to reach minimum setpoint value is less than a second set point, as claimed in Independent claim 19.

Claims 20, 22-23, 25, 30, 32, and 34 are allowable over the prior art made of record, because they are dependent from the allowable independent claim 19.

The prior art of record (Katz et al. -U.S. Pub. 2002/0174000- and Chandra et al. -U.S. Patent No. 2002/0138582- and Bennett -U.S. Pub. No. 2003/0208429 A1- and Tolopka -U.S. Patent No. 6,064,976- and Lang et al. -U.S. Patent No. 6,694,007 B2-and-Rubenczyk et al. -U.S. Pub. No. 2003/0217052 A1) do not disclose, teach, or suggest the claimed limitations of (in combination with all other features in the claim), receiving responses to the query from the plurality of decision making entities, wherein each response includes an indicator of support for the proposed action; determining the cumulative support from the query responses received; automatically implementing the decision if the cumulative support is greater than the setpoint; impose arbitration among the plurality of decision-making entities if the query responses provide cumulative support less than the minimum setpoint value, as claimed in Independent claim 24.

Claims 26-29, and 31 are allowable over the prior art made of record, because they are dependent from the allowable independent claim 24.

The prior art of record (Katz et al. -U.S. Pub. 2002/0174000- and Chandra et al. -U.S. Patent No. 2002/0138582- and Bennett -U.S. Pub. No. 2003/0208429 A1- and Tolopka -U.S. Patent No. 6,064,976- and Lang et al. -U.S. Patent No. 6,694,007 B2-and-Rubenczyk et al. -U.S. Pub. No. 2003/0217052 A1) do not disclose, teach, or suggest the claimed limitations of (in combination with all other features in the claim), communicating a second query based on this cumulative response; communicate second responses from the plurality of decision-making entities, wherein the second responses comprise revised weighting factors, determine the

cumulative response to the second query incorporating the revised weighting factors; as claimed in Independent claim 35.

*Conclusion*

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Neveen Abel-Jalil whose telephone number is 571-272-4074. The examiner can normally be reached on 8:30AM-5:30PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A. Gaffin can be reached on 571-272-4146. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Neveen Abel-Jalil  
October 5, 2005



CHARLES RONES  
SUPERVISORY PATENT EXAMINER